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The situation of democracy and human rights in Haiti

International Civilian Support Mission in Haiti

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 54/193 of 17 December 1999, in which the General Assembly established the International Civilian Support Mission in Haiti (MICAH) in order to consolidate the achievements of the Organization of American States (OAS)/ International Civilian Mission in Haiti (MICIVIH), the United Nations Civilian Police Mission in Haiti (MIPONUH) and previous United Nations missions. In paragraph 12 of that resolution, I was asked to submit a report to the General Assembly every four months. The present report covers developments in the Mission area since the time of my previous report to the Assembly, of 9 November 2000 (A/55/618), until the end of the Mission's mandate on 6 February 2001.

II. Political situation and elections

2. Elections for President and a third of the Senate were held on the constitutionally prescribed date of 26 November 2000. The elections were held despite the absence of an accord between the ruling Fanmi Lavalas party and the opposition to resolve the irregularities in the parliamentary and municipal elections held on 21 May. As a result, the opposition boycotted the electoral process and former President Jean-Bertrand Aristide faced no serious opposition candidates. The period following his election, until his inauguration as President on 7 February was marked by a concerted civil society effort to promote political dialogue; questionable opposition moves to form an "alternative government"; and a climate of tension and threats accompanied by intermittent bombings.

3. The pre-election violence began with a series of shootings in the first half of November. Some may have been gang-related, others seemed aimed at promoting a climate of fear. A series of bombings started with the explosion of three small devices outside electoral offices in the capital on 10 November and resumed during the four days before the elections, when a total of 10 pipe bombs exploded in busy streets or markets of the capital, killing two schoolchildren and injuring some 15 persons.

4. The authorities and President Aristide's Fanmi Lavalas party blamed the violence on the main opposition alliance, the Democratic Convergence, accusing it of trying to scare voters away from the polls. In addition, the so-called popular organizations allied with Fanmi Lavalas threatened violent reprisals against the leaders of the Democratic Convergence if they were not arrested. The Democratic Convergence, for its part, accused Fanmi Lavalas of orchestrating the shootings and bombings as a pretext for cracking down on the opposition. No group claimed responsibility for any of the bombings. The Minister of Justice resisted calls to arrest leaders of the Democratic Convergence

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in the absence of any evidence against them. In the provinces, incidents continued in which Fanmi Lavalas officials elected on 21 May, especially deputies and mayors, led armed groups that disrupted opposition meetings or gatherings of suspected opposition supporters.

5. Four days before the elections, Catholic and Protestant churches and private sector groups called unsuccessfully for the elections to be postponed to allow time for negotiations. With the Democratic Convergence and virtually all other opposition groups boycotting the race, the elections generated little public interest and were eclipsed by the accompanying violence. Fanmi Lavalas held a few small rallies and, beginning in mid-November, published an "economic and social programme" as a series of inserts in the main daily newspaper. This was largely ignored by the opposition, however, and prompted no political debate.

6. Although the elections received no international assistance, the level of organization was comparable to that of 21 May. The turnout, however, appeared to be much lower. There were no official international observers, but most independent sources, including the local and international news media and a four-member "presence" from the Caribbean Community (CARICOM), questioned the official turnout figure of 60.5 per cent and offered estimates ranging from 10 to 20 per cent. The Democratic Convergence put the turnout at less than 5 per cent, interpreting it as a sign of support for its boycott. A more likely cause was fear of election-day violence combined with the fact that, in the absence of opposition candidates, Mr. Aristide's victory was a foregone conclusion. According to the official results, Mr. Aristide won the presidential race with 92 per cent of the vote while Fanmi Lavalas took all 9 Senate seats up for election, giving it a total of 26 of the Senate's 27 seats. The response of Haiti's main international partners was to voice regret that the elections had gone ahead without a prior accord on the 21 May elections and without a credible, independent electoral council.

7. The final report of the Electoral Observation Mission of the Organization of American States (OAS) on the elections of 21 May was published in mid-December. According to OAS, there should have been run-offs for 8 Senate seats where a flawed method of calculating percentages wrongly gave front-runners an absolute majority in the first round. In addition, vote tally discrepancies indicated that run-offs should also have been held for at least 1 other Senate seat and perhaps as many as 3 Deputy seats. The report cited many other irregularities, including the mishandling of challenges and irregular complementary elections in several districts. OAS also deplored the "irresponsibility" of opposition party leaders who, immediately after the first round on 21 May, claimed that there had been massive and systematic fraud and thereby exacerbated the political crisis.

8. Mr. Aristide's offers, after the 26 November elections, "to build peace based on dialogue" and to include persons from outside Fanmi Lavalas in his Government were rejected by the Democratic Convergence as insufficient and inadequate. Likewise, his appointment of a panel of three lawyers to examine the 21 May election controversy was decried as an attempt to trade a few Senate seats for acceptance of a presidential election that the Democratic Convergence considered invalid.

9. The only negotiations that took place were between Mr. Aristide and two United States envoys. They resulted in an eight-point accord memorialized in a 27 December letter to then President Clinton, in which, to "strengthen the ties between our two nations", Mr. Aristide pledged to: hold run-offs for the disputed Senate seats (or rectify the 21 May election problems by other credible means); create a credible new electoral council in consultation with the opposition; endeavour to form a broad-based government, including technocrats and opposition members; and request a "semi-permanent OAS commission" to facilitate dialogue and reinforce democratic institutions. The accord also contained commitments on drug trafficking, money-laundering, illegal migration, reinforcement of the police and economic reforms. Though rejected by the Democratic Convergence as insufficient and insincere, there were nonetheless moves by the authorities to implement some of the points. Prime Minister Alexis travelled to Washington to request OAS to facilitate further dialogue and President Préval followed up with a written request for the "semi-permanent commission".

10. In mid-December, the Democratic Convergence announced its intention to form a "provisional government" to fill what it considered a constitutional void that would be left at the end of President Préval's term because of the "illegitimacy" of Mr. Aristide's election. There was widespread concern that this initiative could provoke repressive measures by the

authorities or a violent reaction from pro-Aristide popular organizations, thereby endangering any future dialogue. Although the leaders of the Democratic Convergence gave private assurances that they had no intention of trying to install their alternative "government" by force, their public statements sometimes created a different impression. (Gérard Gourgue was ultimately named "provisional president" by the Democratic Convergence on 6 February 2001.)

11. President Préval and Prime Minister Alexis responded with a series of very critical and implicitly threatening statements and urged the popular organizations to mobilize against what they called a "coup d'état". At a press conference on 9 January 2001, the leader of one popular organization threatened violence against the leaders of the Democratic Convergence and their suspected civil society allies. These threats elicited statements of condemnation from many quarters, including government officials.

12. The Democratic Convergence's mobilization consisted primarily of two much-publicized meetings in Port-au-Prince on 3 and 27 January, each drawing around 750 participants. However, the majority of the participants were members of the alliance's constituent parties and the Democratic Convergence failed to achieve its declared goal of attracting participants from civil society. Six bombs exploded in Port-au-Prince during the week prior to the first meeting, injuring two persons, while alleged arson threats forced a last-minute change in the venue of the second gathering. However, in what was a very positive development, a large number of police were deployed to ensure security at both meetings, which proceeded without incident. Although it had previously announced that it would name its "provisional government" on the second occasion, the Democratic Convergence refrained from doing so in order, it said, not to harm the chance of talks with Fanmi Lavalas. Contrary to expectation, the popular organizations mounted no major counter-demonstration at the 27 January meeting and toned down their rhetoric in the run-up to the inauguration of President Aristide on 7 February 2001.

13. In January, there were two new initiatives to restart dialogue. The chairman of the neighbouring Dominican Republic's ruling party met with the leaders of the Democratic Convergence on 10 January and with Mr. Aristide two days later, following which Mr. Aristide wrote to the Democratic Convergence inviting its representatives to his residence. The leaders of the Democratic Convergence wrote back agreeing to meet with Mr. Aristide, but only in his capacity as leader of the Fanmi Lavalas and not as President-elect, and insisting on a neutral venue, not Mr. Aristide's residence. The same issue had prevented a meeting in October.

14. On 18 January, a score of church, private sector and other leading civil society organizations announced the formation of a Civil Society Initiative to promote dialogue between Fanmi Lavalas and the Democratic Convergence, and offered the services of a five-member commission, which included as facilitators the Assistant Archbishop of Port-au-Prince and the head of the Federation of Protestant Churches. Four bombs exploded in Port-au-Prince the day after the announcement. Voicing concern at the possibility of an imminent outbreak of political violence, the Civil Society Initiative urged haste and called for the conclusion of an outline accord by 7 February. Both sides responded positively, although the Democratic Convergence voiced scepticism that the initiative could succeed and indicated a preference for OAS mediation. For its part, Fanmi Lavalas questioned the impartiality of some of the members of the Civil Society Initiative and insisted that only those who had shown complete neutrality could act as facilitators. After Fanmi Lavalas proposed the eight-point accord with the United States of America of 27 December 2000 as the starting point for any dialogue, talks between Fanmi Lavalas and the Democratic Convergence began on 3 February, with Mr. Aristide attending the first session observed by the Friends of the Secretary-General for Haiti. After three days the talks broke down because neither side made any significant concessions. Mr. Aristide was installed as President on 7 February 2001.

III. Deployment, operations and closure of the Mission

15. The Mission was closed at the end of its mandate on 6 February. The first group of advisers began leaving on 19 January. Some 20 administrative staff members stayed on as a liquidation team. MICAH was created with a mandate of 11 months, of which three months were lost because of the delays in obtaining the necessary voluntary contributions. This was compounded by lengthy procedures for recruiting advisers, the majority of whom were not in place until August 2000. Cumbersome administrative procedures

for expenditures, unsuited to the needs of a field mission, also slowed the commencement of programmes, despite the efforts of the Mission's administrative staff. The lack of a budget for a minimum number of support personnel within the three sections meant that advisers were forced to devote precious time to administrative tasks, further reducing time spent on substantive work. Taken together, these factors meant that the majority of MICAH's programmes were compressed into a few short months and the Mission was never fully deployed.

16. The brevity of the working period limited MICAH's overall effectiveness, especially as it was mandated to work in areas such as judicial reform, non-governmental organizations (NGO) capacity-building and the strengthening of police command and management structures, where multi-year programmes are called for. There were problems in scheduling activities to fit counterparts' calendars, leading some to be postponed indefinitely. There was no time to evaluate and adjust programmes, particularly training.

17. The lack of adequate infrastructure and equipment at institutions where advisers were assigned to work often reduced their productivity. The absence of the material means needed to make those institutions more operational also meant that MICAH's technical assistance could not always be put to its fullest use. Future programmes should contemplate a mix of material, logistical and technical assistance. In any event, assistance must be adapted to Haiti and its institutions' infrastructures, which are not highly modernized.

18. MICAH's ability to be effective was also limited by a difficult and tense political context. The elections in May and November polarized Haitian society and created accompanying security concerns. The Mission's capacity to contribute to the institutional reinforcement of the justice and human rights sectors, and especially, public security, was also hampered by an insufficient determination within the country to strengthen these institutions. As a result, political factors compounded the problem of limited absorption capacity. Haitian counterparts were often distracted by political concerns and were not sufficiently motivated. Nonetheless, MICAH contributed to some advances in all of the mandated areas.

19. The effectiveness of any one assistance programme is ultimately dependent on close coordination among all donors in developing a coherent strategy and framework in which individual programmes will unfold. This strategy must be mapped in close collaboration with the host Government. In Haiti, assistance has sometimes been rendered less effective by competing approaches. One model of successful coordination of foreign assistance, in partnership with the Government, has been that provided by peacekeeping missions, bilateral and multilateral donors, along with United Nations agencies, to the police. During the period covered by MICAH's mandate, however, most bilateral partners gradually withdrew or reduced their technical assistance.

IV. Justice

20. A second national forum on judicial reform was organized jointly by the Ministry of Justice and MICAH from 4 to 8 December 2000. Four draft laws were debated, including a code of ethics for the judiciary and legislation regulating the Judicial Inspectorate, the Judicial Police and legal aid. In collaboration with Ministry officials, MICAH developed a system for compiling statistics on the functioning of the judicial system. A meeting was held with the chief clerks of all the First Instance Courts (*Tribunaux de Première Instance*) and Prosecutors' Offices to discuss their role in gathering statistics. Staff of the Mission met with the Port-au-Prince prosecutor to draw up a short-term plan to reduce the number of detainees in pre-trial detention in the national penitentiary. A training course for clerks in First Instance Courts was finalized. Workshops aimed at improving the functioning of the lower courts were held for justices of the peace on mediation and other forms of alternative conflict resolution (*droit informel*), as well as the treatment of minors.

21. The small gains of recent years towards the independence of the judiciary were jeopardized by several events during this reporting period. Attempts were made to intimidate judicial officials involved in the case of a popular organization leader accused of making threats against opposition leaders. Likewise, when a judge sought to question a Senator in connection with last year's murder of journalist Jean Dominique, his supporters showed up en masse and attempted to thwart the session. Another test will be whether Parliament quickly ratifies draft legislation

that would serve to strengthen the independence of the judiciary. These include a law creating the Superior Council of Magistrates. Recent applicants to the Judges School have been evaluated on the basis of impartial selection criteria, which include an entrance examination, and I look to Haitian authorities to uphold these rigorous standards. These issues will be pivotal in determining whether assistance in institutional reinforcement for the justice system should continue.

22. MICAH sought to develop its justice programme in partnership with the Minister of Justice and other authorities, who after displaying some initial reticence, were ultimately quite receptive. The Justice Minister looked to MICAH especially for technical assistance in redrafting key laws. In particular, MICAH supported the drafting of a series of judicial reform bills which were subsequently debated and amended at two week-long symposia. The bills included legislation to combat drug-trafficking and money-laundering, areas where there is an ongoing need for expertise. It is important that continued assistance be provided for judicial reform, in particular, reform of the criminal codes and legislation regulating the Judicial Police. It is to be hoped that the United Nations Development Programme (UNDP) and other agencies of the United Nations system, in coordination with bilateral donors, can mobilize the resources necessary to carry out this important work.

23. Some modest advances were made in improving management techniques in the Judicial Affairs Section of the Ministry of Justice and a few selected courts and prosecutors' offices. A system for compiling judicial statistics, an important tool for central planning and policy-making, was designed. Future assistance to the Justice Ministry should target its Judicial Affairs Section, including help for making the statistical analysis system operational.

24. MICAH's assistance for the Judges School was limited primarily to preparing upcoming entrance examinations and editing the School's review on law and justice. Fostering a strong, independent judiciary means that training for judicial personnel, including clerks, must remain a priority. Support for the School should be increased and should include the establishment of a training programme for court clerks. The absence of well-structured bar associations remains an obstacle to creating a legal assistance programme, which would also require professionalizing the education of justice sector personnel.

25. The Prison Authority continued to suffer from lack of leadership and resources, as well as difficulties related to its integration into the Haitian National Police (HNP). Nevertheless, some progress was made in improving daily administrative and management practices in collaboration with regional prison directors. At the Prison Authority's training centre, MICAH prepared training modules, trained instructors and helped develop longer term training programmes for prison management personnel. Assistance was also provided to the Prison Authority's service for women and minors. The problem of prolonged pre-trial detention was the focus of efforts at the National Penitentiary. Tackling the persistent problem of pre-trial detention assumes reform of the Judicial Police, a habeas corpus law, continued training in criminal investigations for the police and creating a system of legal assistance.

V. Haitian National Police

26. Consultations were held with police authorities in preparation for drafting a law concerning the Judicial Police and one on the legal and organizational framework of the Haitian National Police (HNP). MICAH presented its evaluation of the Criminal Intelligence Centre and the Emergency Hotline Centre to the Police Director General. A daily reporting system between the central Criminal Intelligence Centre and the Intelligence Sections in each of the departmental command centres (*directions départementales*) was put in place. A career development plan for officers was completed. MICAH also assisted in finalizing a series of administrative and operational logs which are needed for central management and planning. Training was held for new inspectors at the Inspectorate General. Various training sessions were also organized in departmental command centres around the country and at the international airport.

27. MICAH's programme focused on central command, administrative and control structures, including the Inspectorate General, and the departmental command centres. It also emphasized on-site training. Activities included developing and putting into place key management and administrative tools and procedures, strengthening decentralized

command and management capacities, helping launch a permanent recruitment programme and drafting a career incentive and development plan for police officers, which is essential to curbing the high rate of attrition among them. New crime and incident reporting procedures were put in place, which are necessary for developing strategies to fight crime and improve investigations.

28. HNP has a sound structure and most of the necessary directives concerning its operation have been issued. In addition, there have been positive developments in its administrative, logistical and financial organization and its management practices, which have been supported by MICAH. However, some HNP senior officers have apparently not been able to exercise leadership. Their directives have not been implemented and command structures have remained highly centralized. HNP has been affected by politicization, demoralization and a wait-and-see attitude. Instances of corruption and involvement of some policemen in criminal activity have also had a negative impact. The failure to replace the head of the Inspectorate General, who resigned nearly nine months ago, undercut the work of this key division charged with ensuring ethical and professional standards and investigating misconduct and corruption. All of these aspects contributed to reducing the potential impact of the assistance provided by the Mission.

29. The HNP Strategic Development Plan (1999-2003), which provided the basis for MICAH's programme, offers a solid framework for future assistance. Key central structures such as the Department of Administration and General Services still need strengthening. The credibility and integrity of the force hinge on the continued development of the Inspectorate General. The police's capacity to carry out criminal investigations remains very weak and assistance should be intensified, including assistance to the Bureau of Criminal Affairs. Assistance should also continue for training new recruits at the Police Academy and ongoing training for officers in the field. There remains a critical shortage of mid-level commanders in the force. The effectiveness of continued assistance will depend on the will to develop a strong, neutral force under credible, independent leadership. On several occasions, which included elections, high profile trials and, more recently, a gathering held by the opposition, when the will existed, the entire police force was mobilized and performed very well. MICAH assisted in the planning of some of these special deployments.

VI. Human rights

30. A series of seminars for NGOs working in the field of human rights began in November, covering verification, data handling, fund-raising and management as well as national and international mechanisms for protecting human rights. Training on women's and children's rights was held for police instructors. MICAH facilitated the holding of a human rights conference by representatives of Protestant and Catholic churches. Participants issued a statement at a special ecumenical service held on Human Rights Day (10 December). Representatives of NGOs and State authorities came together on 15 January for an exchange of views and experiences in conflict resolution and mediation.

31. Incidents of intimidation and violence linked to the political and electoral process have been reported throughout the period of the Mission's mandate and many have been investigated by MICAH staff. Verification activities were particularly important during this polarized and turbulent period, given the perception that the institutions responsible for law and order and protecting human rights were increasingly subordinated to the dominant political group. Although their monitoring capacity has evolved, the ability of Haitian NGOs to conduct investigations may be limited if they, other civil society organizations and the opposition continue to be the targets of intimidation.

32. Amid the tensions that preceded and followed the elections of 26 November, that were several instances in which political freedoms were violated by officials of the Fanmi Lavalas party or popular organizations linked to it. In two highly publicized incidents in the provinces, elected officials of the Fanmi Lavalas party, accompanied by heavily armed groups, broke up meetings in an apparent attempt to silence those who they believed to be supporters of the opposition. The findings of an investigation by a parliamentary commission on one incident, which appeared to target a local priest, have not yet been made public. Anonymous threats following broadcasts on low voter turnout for the presidential elections caused an independent radio station to close for a short period. Two other stations known to be critical of Fanmi Lavalas complained of threats. A group of 100 well-

known figures, including opposition leaders, civil society personalities, church authorities and journalists, was threatened by the leader of a pro-Fanmi Lavalas popular organization during a press conference on 9 January. Popular organization leader Paul Raymond accused the individuals of having been chosen by the Democratic Convergence for its proposed alternative "provisional government" and threatened violent reprisals if they did not publicly dissociate themselves from the project. Armed operations by the newly formed security brigade at the Port-au-Prince city hall, as well as an attack by protesters in a provincial town on the visiting Customs Director, pointed to rivalries among Fanmi Lavalas factions over control of lucrative sources of income.

33. MICAH sought to improve human rights training at the Police Academy, the Prison Authority's training centre and the Judges School. The success of this and NGO training is rooted in the use of Creole, participatory teaching methods and real-life case studies. Continued assistance will be needed to fully evaluate instructors, revise existing modules and related curricula and develop new modules. The post-MICAH transition programme of UNDP is to work in this area, if the necessary resources are secured.

34. Support was provided to the Ombudsman's Office in the analysis of complaints, creating a development plan and drafting a law defining the Office's mandate and structure. This was slow in starting because of the scarcity of personnel and resources. Nonetheless, some progress was made and there were signs of a will to systematize and reinforce the Ombudsman's office. The coming year will be critical for the Office's institutional development and I encourage UNDP to intensify its assistance in the coming year. Assistance for the Police Inspectorate General, including an analysis of investigations into cases of human rights abuses by police, showed, contrary to public perception, that some efforts had been made by the Inspectorate to investigate such cases. Future assistance should be provided through training and practical field work to continue to strengthen the quality of the Inspectorate's investigations.

35. Some effort was required to re-establish and consolidate relations with the Haitian human rights NGOs and to overcome reservations about the United Nations role and the appropriateness of a short-term assistance programme. This is a period of growth and maturation for NGOs and continued support by UNDP and other United Nations agencies will be needed. MICAH and its partners jointly identified areas where more training and assistance are needed. That information has been used by UNDP in developing its rule of law programme. The preservation of the institutional memory of MICIVIH and MICAH in the field of human rights, through the creation of a human rights documentation centre, was also proposed and should be pursued by United Nations resident agencies.

36. Promotion activities focused on the "culture of peace". The impact of activities varied; some were more successful than others in fostering collaboration among sectors of civil society. The facilitation of contacts between different churches led to the creation of an ecumenical committee on human rights and peace issues. Two of the church organizations later became involved in the Civil Society Initiative, which tried to mediate talks between Fanmi Lavalas and the opposition. A writing contest for youth, co-sponsored by radio stations, generated pledges of $5,000 in scholarship prizes. A conference on conflict resolution resulted in the creation of a committee to look into the possibility of setting up a network of practitioners. Continued financing, guidance and facilitation will be needed to sustain these initiatives.

VII. Development activities

37. Representatives of the United Nations system in Haiti have continued to implement the reform programme. Following the release of the Common Country Assessment, and in line with Economic and Social Council resolution 1999/11 of 27 July 1999, in which the Council called for the development of a long-term strategy and programme of support for Haiti, work continued on the formulation of a United Nations Development Assistance Framework (UNDAF). Under the guidance of designated lead United Nations agencies, three working groups were established in the following areas: (a) education for all, enhancement of human resources and access to social services; (b) governance and rule of law; and (c) food security and sustainable rural development. Each produced thematic reports that will be reflected in a final UNDAF document to be issued in April 2001.

38. Parallel with the UNDAF process, important progress has also been made during the reporting period regarding the harmonization of the programme cycles of the agencies of the United Nations

Development Group for the period 2002-2006. In addition to the country team's intense mobilization around the UNDAF process, agencies have continued to develop and implement their own programmes within their mandated areas.

39. Following the formulation of a preparatory document underlying the strategy for the preparation of an interim poverty strategy paper to be developed by the Government in cooperation with the World Bank and the International Monetary Fund (IMF), the Government shifted its emphasis towards the formulation of a National Development Strategy Framework. The Government also negotiated a new agreement with IMF, with a commitment to reduce the budget deficit; the rate of inflation; to maintain a restrictive monetary policy; and to reconstitute external reserves. As a result of the reduced size of its portfolio in Haiti, the World Bank underwent an internal restructuring and Haiti is now covered from the Dominican Republic.

40. UNDP developed, in close coordination with the Friends of the Secretary-General for Haiti, MICAH and the Department of Political Affairs, a post-MICAH transition programme, for which funding is now being sought. Prior to developing this programme, UNDP and MICAH jointly organized a donor retreat last November to take stock of experiences in the justice sector, formulate recommendations and discuss future support. This programme builds on UNDP's ongoing activities related to the rule of law, while consolidating activities initiated by MICAH. It also assumes collaboration with other United Nations agencies, including the Office of the United Nations High Commissioner for Human Rights, UNICEF, UNESCO, UNFPA and FAO. Its five main objectives are: (a) strengthening national capacities in the justice sector; (b) facilitating a participatory judicial reform process; (c) improving access to justice; (d) consolidating the institutional development of the police and prison systems; and (e) strengthening national capacities in human rights monitoring and promotion. Unfortunately, sufficient funding had not been found to allow for an immediate handover of MICAH's tasks.

41. In view of the formulation of the World Food Programme (WFP) strategy for Haiti for the period 2002-2006, an evaluation of the WFP country programme was carried out in January 2001. UNICEF, together with the World Health Organization (WHO) and the Pan American Health Organization (PAHO), provided support to the Ministry of Health for the organization of the 2001 national immunization days. The United Nations Population Fund (UNFPA) began formulating its country programme for the period 2002-2006. UNFPA also helped prepare a workshop on maternal mortality and pursued its advocacy campaign to support the 2001 national census.

42. The Food and Agriculture Organization of the United Nations (FAO) helped formulate a new national policy for the fisheries sector. On the basis of the results of a recent FAO-supported survey, FAO has formulated a programme for the eradication of a parasitic worm estimated to be affecting 90 per cent of Haitian livestock.

43. The Joint and Co-sponsored United Nations Programme on HIV/AIDS (UNAIDS) supported several activities for World AIDS day on 1 December 2000, in particular a mobilization and sensitization campaign throughout the country. UNAIDS also provided support to the organization of a colloquium on the transmission of HIV/AIDS from mother to child. Following heavy floods in northern Haiti in early November 2000, the United Nations Disaster Management Team reacted swiftly, coordinated immediate assistance and formulated a joint integrated proposal for local risk and disaster management. The Management Team also took the lead in facilitating a workshop on the local risk management component of the National Plan for Risk and Disaster Management.

VIII. Observations

44. The United Nations began playing a role in efforts to establish democracy in Haiti during the December 1990 elections, in which Mr. Jean-Bertrand Aristide was elected President for the first time. Following the coup d'état in 1991, the United Nations resumed this role by setting up MICIVIH together with OAS in 1993 to monitor human rights abuses. In 1993, the United Nations Mission in Haiti (UNMIH) was established, but it could not be fully deployed at that time. The United Nations role expanded after the return to constitutional rule with a series of peacekeeping missions beginning in March 1995. These were succeeded by the civilian police mission, MIPONUH, in 1997, while MICIVIH continued its human rights work with the police, prisons and justice system. MICAH, which was set up to consolidate the work of

MICIVIH and MIPONUH, was the last in this line of United Nations missions in Haiti.

45. All of these missions contributed effectively to efforts to reinforce Haiti's democratic institutions and to respect for human rights, although strong countervailing forces often reduced those gains. In the case of the police, the international community's role was aimed at building up the capacity of HNP to act independently and in accordance with the rule of law. As I emphasized in my last report, public security is essential to the lives of all citizens, and an independent police force, which respects the rights of citizens, is indispensable to any democratic society.

46. I find it regrettable that various opportunities to reach a political compromise that existed before the elections were not seized and that impediments to the resumption of much-needed international assistance remained in place. While hopes were revived by the resumption of political dialogue in the final days prior to President Aristide's inauguration on 7 February, doubts persisted that either side was ready or able to make the necessary concessions. The eight points of the 27 December accord with the United States of America, which President Aristide proposed as a starting point for the dialogue, would represent a significant concession, provided that the opposition cooperates in their implementation, although that appeared unlikely, as the eight points fell far short of the demand by the Democratic Convergence that the elections of 21 May and 26 November be reheld. Among the opposition, there was widespread concern that President Aristide's goal in entering the dialogue may have been to draw a few opposition and civil society figures into his Government, in order to regain access to international assistance.

47. Concern has been growing that actions of some organizations and political leaders associated with the Fanmi Lavalas party have undermined the democratic process. Constructive engagement by the international community, coupled with development assistance, could reinforce the more moderate, modernizing currents within Fanmi Lavalas and could increase the likelihood that respect for political freedoms and human rights will become institutionalized. Conversely, disengagement and withholding assistance could have the undesired effect of political personalities taking more extreme positions.

48. Opposition to a political accord could also be expected from those who have taken advantage of the growing anarchy of recent years to become involved in criminal activities that might be jeopardized by the political stabilization and reinforcement of justice sector institutions. Concern about lawlessness and the ever-present fear of an outbreak of major political violence have fostered one of the more positive developments in recent months, a growing readiness on the part of civil society organizations to engage publicly in the political crisis. The international community should encourage this development by assisting civil society organizations and by discouraging any possibility of their becoming the target of threats or reprisals. Haiti's emergent civil society raises hopes that dialogue would succeed in achieving a substantive accord and its implementation.

49. In a statement to the press on 13 February 2001, the Security Council called on the Haitian authorities and politicians to actively continue their efforts at reconciliation and resolve their differences through dialogue. The statement went on to encourage OAS, and particularly its Secretary-General, to continue to identify options and recommendations aimed at resolving the current political situation. Among those options under consideration is the aforementioned OAS "semi-permanent commission". In this context, I welcome CARICOM's recent statement of intent to establish an office in Haiti at the earliest possible opportunity, and to foster contacts at all levels between the citizens of Haiti and the people of the Caribbean Community.

50. Former President René Préval, his Prime Minister and his Minister for Foreign Affairs all expressed appreciation to my Representative for the achievements of MICAH and all the preceding United Nations missions and voiced their regret that MICAH's work had been hampered by the political crisis. They would have liked to see a continuation of United Nations assistance in projects related to the rule of law. In order to respond to this request, it will be necessary to devise new forms of technical assistance that might better allow the United Nations system to continue supporting the Haitian people. To this end, UNDP has crafted a comprehensive post-MICAH transition programme and I call on the Friends of the Secretary-General for Haiti and other Member States to contribute to this next phase of peace-building in Haiti.

51. In his letter addressed to me, dated 9 March 2001 and received on 3 April 2001, President Aristide has expressed an interest in maintaining the position of Representative of the Secretary-General with the mandate of facilitating dialogue between the various political actors and promoting peace. I am presently consulting relevant parties, and in particular the Friends of Haiti and the OAS, to assess how best to respond to this request. I also look forward to the report of the Secretary-General of OAS to its Permanent Council on measures that could contribute to the strengthening of the democratic process in Haiti.

52. To address the structural problems underlying its poverty, Haiti needs political stability and democratic institutions with checks and balances like other countries in the region. Haiti's fledgling democracy has been allowed to evolve in such a way that the democratic process has been undermined. In the present final report on MICAH, I would like to reiterate the Organization's commitment to continue to accompany Haiti in its transition to democracy. This commitment can only bear fruit in a climate of reconciliation and compromise and I call on all Haitians to work to that end.

53. As the Organization's support to the people of Haiti enters a new phase, I would like to express my gratitude to the Friends of the Secretary-General for Haiti for their counsel and cooperation throughout the years. I am also grateful to those who contributed to the Trust Fund for MICAH: Canada, Norway and the United States of America. As United Nations activities continue in Haiti through the work of the United Nations agencies and in particular, UNDP, I shall continue to count on the advice and financial support of Member States. In closing, I wish to thank the Haitian and international staff of MICAH and my representative, Mr. Alfredo Lopes Cabral, for their work and dedication in challenging circumstances.